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18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA

20 SAN FRANCISCO DIVISION

21 UNITED STATES OF AMERICA,

22 Plaintiff,

23 v.

24 CARLOS E. KEPKE,

25 Defendant.

26 Criminal No. 3:21-CR-00155-JD

27 **DECLARATION OF COREY J. SMITH IN
28 SUPPORT OF GOVERNMENT'S RESPONSE
TO DEFENDANT'S MOTION IN LIMINE
TO EXCLUDE TESTIMONY OF
EVATT TAMINE**

29 Hearing.: November 28, 2022
30 Time: 9:00 a.m.
31 Place: Courtroom 11, 19th Floor

32 **DECLARATION OF COREY J. SMITH**

33 I, Corey J. Smith, do hereby state the following:

34 1. I am a Senior Litigation Counsel with the Department of Justice, Tax Division, assigned

35 by the Department of Justice to this case, *United States v. Carlos Kepke*, 3:21 cr 155 (JD);

36 2. I am a member in good standing of the bars in Massachusetts and Illinois;

3. This Declaration is made based on my personal knowledge in support of the Government's Response to Defendant's Motion *In Limine* to Exclude Testimony of Evatt Tamine;

4. **Exhibits 2 and 4**, filed in support of the Government's Response to the forgoing Motion, are true and accurate copies of letters previously sent to Defendant's counsel via email; and

5. **Exhibit 3** is a true and accurate copy of an Order issued by the Supreme Court of Bermuda on March 26, 2020.

I do hereby state under the penalties of perjury that to the best of my knowledge and belief the foregoing is true and correct.

Submitted this 10th Day of November, 2022

s/ Corey J. Smith
COREY J. SMITH
Senior Litigation Counsel
Attorney for United States of America